

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
FT. WORTH DIVISION

IN RE:

DIANNE DORMAN,

Debtor

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CASE NO. 16-40061-rfn13

CHAPTER 13

NOTICE OF AGREED RESOLUTION OF OBJECTION TO CONFIRMATION

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COMES NOW Deutsche Bank National Trust Company, its successors and/or assigns ("Creditor"), to file this *Notice of Agreed Resolution of Objection to Confirmation of Chapter 13 Plan*. The Creditor and the Debtor have expressly agreed, as evidenced by their signatures affixed hereto, that the forthcoming secured proof of claim to be filed by Creditor shall be addressed at issuance of the *Trustee's Recommendation of Claims* (the "TRCC") which TRCC shall provide for payment of Creditor's claim in full, unless (1) Creditor's claim is objected to prior to approval of the TRCC; or (2) a different claim amount is established by agreement of the parties or Order of the Court; or (3) the Trustee schedules Creditor's claim in the TRCC for payment in an amount that is acceptable to Creditor. In the event Creditor does not file a secured proof of claim before TRCC, Creditor shall accept the amount of its claim, as provided in Debtor's proof of claim which was filed on behalf of Creditor.

It is expressly and specifically agreed that the amount of Creditor's claim set forth in the proposed Plan of Reorganization and any subsequent order confirming the Plan is an estimate only and is not binding on the Debtor or the Creditor in the manner contemplated in *United Student Aid Funds, Inc. v. Espinosa*, 130 S. Ct. 1367, 553 F.3d 1193 (2010). It is, instead, the agreement and understanding of the Debtor and the Creditor that the amount as determined by the TRCC or subsequent court order shall be binding upon the parties as if the amount set forth


therein had been established at confirmation.

It is expressly agreed that the Plan will cure Creditor's pre-petition arrearage claim and that the amount of the mortgage arrearage claim to be paid through the Plan will be the amount of the Mortgage Creditor's allowed proof of claim unless a different amount is established by a court order as set forth above.

It is expressly agreed that the *Objection to Confirmation of Chapter 13 Plan* filed by Deutsche Bank National Trust Company on May 6, 2016, and which is docketed as PACER document number 33, is hereby resolved under the terms set forth herein.


IT IS FURTHER ORDERED that Confirmation is without prejudice to Debtor's or Creditor's rights to a later determination of the allowed amount of Creditor's secured claim, as provided herein. To the extent such claim is allowed for an amount greater or lesser than provided in the Plan, after the Trustee's Recommendation Concerning Claims is final, Debtor will modify the Plan to fully provide for such claim.

SO AGREED:

By: 
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ATTORNEY FOR DEBTOR

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing *Notice of Agreed Resolution of Objection to Confirmation of Chapter 13 Plan* has been served upon the following parties via electronic means through the Court's CM/ECF system or by pre-paid regular first class U.S. Mail on August 4, 2016.

By: /s/ Gordon W. Green
Gordon W. Green

ATTORNEY FOR DEBTOR
(via electronic notice)

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U. S. TRUSTEE
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